

# **EXHIBIT 12**

Page 1

1 LISA N. BENADO  
2 IN THE UNITED STATES DISTRICT COURT  
3 FOR THE WESTERN DISTRICT OF PENNSYLVANIA  
4  
5 INTELLECTUAL VENTURES I, LLC and  
INTELLECTUAL VENTURES II, LLC,  
6 Plaintiffs,  
7 vs. Civil Action No. 1:14-cv-00220-MRH  
8 ERIE FAMILY LIFE INSURANCE COMPANY;  
ERIE INDEMNITY COMPANY;  
9 ERIE INSURANCE COMPANY;  
ERIE INSURANCE EXCHANGE;  
10 ERIE INSURANCE PROPERTY & CASUALTY  
COMPANY; and FLAGSHIP CITY INSURANCE COMPANY  
11 Defendants.

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13 INTELLECTUAL VENTURES I, LLC and  
INTELLECTUAL VENTURES II, LLC,  
14 Plaintiffs,

15 v.

16 HIGHMARK, INC;  
HM INSURANCE GROUP, INC;  
HM LIFE INSURANCE COMPANY;  
17 HIGHMARK CASUALTY INSURANCE COMPANY;  
and HM CASUALTY INSURANCE COMPANY,  
18 Defendants.

19 NOTICED VIDEOTAPED DEPOSITION OF LISA N. BENADO  
Taken on Friday, February 13, 2015  
20 9:34 a.m.

21 BE IT REMEMBERED THAT, pursuant to the Washington Rules of  
Civil Procedure, the deposition of LISA N. BENADO, was taken  
22 before T.B.R., a Certified Shorthand Reporter  
and a Notary Public for the State of Washington, on  
23 February 13, 2015, commencing at the hour of 9:34 a.m., the  
proceedings being reported at 10885 NE 4th Street,  
24 Suite 700, Bellevue, Washington.  
25 Job # 90378

1 LISA N. BENADO

2 BY MS. PEARLSON:

3 Q. And do you recognize this document?

4 A. Yes, I recognize the document.

5 Q. And what is that document?

6 A. It's entitled "Patent Assignments," and the  
7 parties are AllAdvantage.com as assignor.

8 Sorry.

9 Q. That's okay.

10 A. My stomach.

11 And Alset, Inc. as assignee.

12 Q. And turning to the page previous, you signed  
13 this document on page 3; correct?

14 A. I signed the transmittal letter, yes.

15 Q. Thank you for clarifying.

16 And you signed the Assignment Transmittal Letter  
17 on July 2nd, 2002?

18 A. That's correct.

19 Q. And this was while you were at Speckman Law  
20 Group?

21 A. Yes.

22 Q. The prior two assignments that filed with the  
23 PTO were also on July 2nd, 2002; is that correct?

24 A. I can take a look.

25 Q. I can represent to you that they were.

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2 file it with the PTO.

3 A. Oh, I'm unaware of the intention of the parties.

4 Q. Okay.

5           A.        I wasn't involved in the parties at the time of  
6       the creation of this.

7 Q. And after the document was created, did you come  
8 to learn any understanding of why the document was  
9 created?

10 A. It was presented to me as a document that  
11 transfers title of the -581.

12 Q. When was it presented to you?

13           A.         During my representation of Alset at Speckman  
14       Law Group.

15 Q. And when it was presented to you, did you review  
16 the document?

17 A. Yes, I did.

18 O. And what did you review the document for?

19 A. I viewed it as an assignment --

20 MR. HURT: Go ahead.

21 THE WITNESS: I'm sorry.

22 MR. HURT: No. Go ahead. That's fine.

23 THE WITNESS: I viewed it as an assignment  
24 that would -- that I could record at the title office to  
25 show transfer of title.

1 LISA N. BENADO

2 Q. But at the time that you reviewed this document,  
3 you believed that it did transfer title of the -581  
4 patent?

5 A. Yes. And that's why it was recorded.

6 Q. Did you speak with anyone at AllAdvantage about  
7 this document?

8 A. No, I did not.

9 Q. Did you speak with anyone at AllAdvantage about  
10 whether they believed the -581 patent was transferred?

11 A. No, I did not.

12 Q. Did you speak with anyone at Alset -- I don't  
13 want to get into privileged information, but did you speak  
14 with anyone at Alset about this document?

15 MR. HURT: You can answer that question.

20 BY MS. PEARLSON:

21 Q. Did you request the document from Alset, or did  
22 they provide it to you?

23           A.        I requested all documents that reflect the chain  
24       of title

25 Q And Alset provided you this document --

1 LISA N. BENADO

2 A. That's correct.

3 Q. -- on that request?

4                           And after they provided you this document, you  
5 reviewed it?

6 A. That's correct.

7 Q. And after reviewing it, you filed it with the  
8 PTO?

9 A. That's correct.

10 Q. Upon your belief that this document transferred  
11 title between -- of the -581 patent between AllAdvantage  
12 to Alset; correct?

13 A. That's correct.

14 MR. HURT: I'm going to -- I was going to  
15 object. Calls for a legal conclusion.

You can answer that question, though.

17 THE WITNESS: Yes. Which I've already said  
18 that I recorded it as a (witness whispering)

19 THE COURT REPORTER: A little bit louder,  
20 please.

24 BY MS PEARLSON:

25 Q. And as you sit here today, you cannot recall

1 LISA N. BENADO

2 THE WITNESS: What was the question, please?

3 BY MS. PEARLSON:

4 Q. Would you agree that there is no language in the  
5 patent assignment agreement between AllAdvantage to Alset  
6 which would transfer the -581 patent or its application to  
7 Alset?

8 MR. HURT: Same objection.

9 THE WITNESS: I would not agree with that.

10 BY MS. PEARLSON:

11 Q. And why not?

12 A. Because it (As read) hereby assigns all rights,  
13 including common law rights, title and interest in the  
14 United States of America, Canada and European Union and  
15 all other countries and jurisdictions of the world, and to  
16 said patents, together with goodwill and business  
17 symbolized by the said patents, and applications and  
18 registrations hereof.

19 Q. And why do you believe that language assigns the  
20 -581 patent to Alset?

21 MR. HURT: Objection. Calls for a legal  
22 conclusion.

23 You can answer that, Ms. Benado.

24 THE WITNESS: Because the parent patent is  
25 listed under the list of patents.

1 LISA N. BENADO

2 THE WITNESS: It was presented to me as an  
3 assignment of rights of transfer of title to my client  
4 Alset, and that's why -- and it was recorded as such.

5 BY MS. PEARLSON:

6 Q. So you're relying on Alset's representations to  
7 you?

8 MR. HURT: Objection. Form.

9 THE WITNESS: In part.

10 BY MS. PEARLSON:

11 Q. Are you relying on anything else for your  
12 assertion that the -581 patent was transferred from  
13 AllAdvantage to Alset?

#### A. The document itself.

15 Q. Aside from the document itself and the fact that  
16 Alset presented the document to you and stated that they  
17 believed that it transferred title, is there anything else  
18 that you're relying on for your belief that the -581  
19 patent was transferred?

20 MR. HURT: Objection. Form.

21 THE WITNESS: No.

22 BY MS. PEARLSON:

23 Q. You have no independent knowledge of whether  
24 AllAdvantage intended to transfer the -581 patent;  
25 correct?

1 LISA N. BENADO

2 A. I have no knowledge of AllAdvantage.

3 Q. And you had no communications with AllAdvantage  
4 about their intentions to transfer the -581 patent?

5 A. I had no communications with AllAdvantage.

6 Q. If AllAdvantage intended to transfer the -581  
7 patent to Alset, they could have listed the -581 patent in  
8 the enumerated list of patents; correct?

9 MR. HURT: Objection. Calls for a legal  
10 conclusion.

11 You can answer.

12 THE WITNESS: There are many ways of -- and  
13 many different types of language that you can use to  
14 convey -- to show conveyance of an application.

15 BY MS. PEARLSON:

16 0. And the -581 -- strike that.

17 And listing expressly the -581 patent in the list  
18 of enumerated patents was not one way that the -- that  
19 AllAdvantage chose to transfer the patent?

20 MR. HURT: Same objection. Calls for  
21 speculation.

22 THE WITNESS: I have no understanding of the  
23 intent -- of direct knowledge of AllAdvantage.

24 MS. PEARLSON: Can we mark Exhibit 11.

25 (Whereupon, a Release of Lien was marked)